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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,701	09/22/2000	Yoshiki Kawaoka	5-009US-FF	9960

7590 04/13/2004

McGinn & Gibb PC
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EXAMINER	
QUINONES, EDEL H	

ART UNIT	PAPER NUMBER
2131	3

DATE MAILED: 04/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/667,701	KAWAOKA ET AL.	
	Examiner	Art Unit	
	Edel H Quinones	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 September 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

III. Detailed Action

1. Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 3 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Schwab (U.S. Patent 6,226,412).

In regards to claims 3 and 15, Schwab teaches a client terminal (figure 1, item 2) comprising: an input unit (i.e. modem) (col. 4, lines 18-31) for inputting image data that has been encrypted using an encryption key which corresponds to this client terminal (col. 6, lines 54-59); a decryption unit for decrypting encrypted image data, which has been input by said input unit, using the corresponding decryption key (col. 7, lines 9-25); and an output unit for outputting image data that has been decrypted by said decryption unit (figure 3).

3. Claims 10-11 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Noguchi (U.S. Patent 6,711,285)

In regards to claims 10 and 19, Noguchi discloses an image data output apparatus (figure 1) for outputting image data (col. 1, lines 10-17) corresponding to a plurality of image printing units which print images represented by image data (figure 1, item 20), comprising:

a designation unit for designating an output destination of applied image data from among the plurality of image printing units (col. 7, lines 50-53);

a format conversion unit for converting a format of the applied image data so as to obtain a format conforming to the image printing unit that has been designated by said designation unit (figure 1, item 14); and

an image data output unit for outputting the image data (figure 1, item 20), the format whereof has been converted by said format conversion unit, to the image printing unit that has been designated by said designation unit (col. 7, lines 36-42).

In regards to claim 11, Noguchi teaches an input unit for inputting an image file containing the image data and data indicating the output destination of this image data; said designation unit designating the output destination of image data by data indicating the output destination that is contained in the image file that has been input by said input unit (col. 10, lines 10-24).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwab in view of Enokida (U.S. Patent 6,473,859).

In regards to claims 1 and 14, Schwab discloses an image server (figure 1, item 40) for outputting encrypted image data (col. 7, lines 8-15) to at least one client terminal (figure 2, item 60) among a plurality thereof (figure 2, item 70), comprising:

an encryption unit for encrypting the image data using an encryption key which corresponds to the client terminal that has been selected by said selection unit (col. 7, lines 16-19) (col. 6, lines 54-59); and

an encrypted image data output unit for outputting image data that has been encrypted by said encryption unit (figure 3).

Schwab does not teach a server comprising:

a selection unit for selecting, from among the plurality of client terminals, a client terminal to which image data is to be output; and

an encrypted image data output unit for outputting image data that has been encrypted by said encryption unit.

Enokida discloses an invention relating to an image processing system (col. 1, lines 9-10).

Enokida teaches a server comprising:

a selection unit (i.e. image data distribution system) for selecting, from among the plurality of client terminals, a client terminal to which image data is to be output (col. 8, lines 32-40); and

an encrypted image data output unit for outputting image data that has been encrypted by said encryption unit (figure 2, item 403).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the teaching of Schwab with the teachings of Enokida to include a server comprising a selection unit for selecting, from among the plurality of client terminals, a client terminal to which image data is to be output; and an encrypted image data output unit for outputting image data that has been encrypted by said encryption unit with the motivation to easily and reliably manage an image used for a plurality of types of purposes and for reliably protect the copyright of the image (Enokida, col. 1, lines 50-53)

In regards to claim 2, the combination of Schwab and Enokida teaches the system of claim 1 as discussed above.

The combination of Schwab and Enokida does not teach that the image data includes high-resolution image data for printing and display image data having a resolution lower than that of the high-resolution image data for printing; and that the encryption unit encrypts the high-resolution data for printing.

However, Enokida also teaches that the system encodes images at different resolutions (col. 6, lines 1-13) and that it encrypts the image with the highest resolution (col. 4, lines 51-56)

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to further modify the combination of Schwab and Enokida with the teachings of Enokida to include that the image data includes high-resolution image data for printing and display image data having a resolution lower than that of the high-resolution image data for printing; and that the encryption unit encrypts the high-resolution data for printing with the motivation to easily and reliably manage an image used for a plurality of types of purposes and for reliably protect the copyright of the image (Enokida, col. 1, lines 50-53

5. Claims 4-6 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (U.S. Patent 6,209,097 and Nakayama hereinafter) in view of Matsunoshita (U.S. Patent 6,603,864).

In regards to claims 4 and 16, Nakayama teaches an image printing system (figure 1) comprising: an image selection unit for selecting at least one from among a plurality thereof (col. 16, lines 9-13); a print command unit for applying a command to print the image that has been selected by said image selection unit (col. 4, lines 9-11); and a printing unit, which is responsive to a print command applied by said print command unit, for printing, on the same visible recording medium, the image that has been selected by said image selection unit (col. 20, lines 17-18).

Nakayama does not teach printing along with the image information relating to a copyright holder of the selected image.

Matsunoshita teaches an image processing apparatus (col. 1, lines 7-12).

Matsunoshita teaches printing along with the image information relating to a copyright holder of the selected image (col. 2, lines 35-45).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the teaching of Nakayama with the teachings of Matsunoshita to include printing along with the image information relating to a copyright holder of the selected image with the motivation to prevent illegal duplications (Matsunoshita, col. 1, lines 14-21)

In regards to claim 5, Nakayama teaches an input unit for inputting data in which image data representing a plurality of images and information relating to copyrights of these images are associated with each other (col. 21, lines 8-12); said image selection unit selecting a desired image from among the plurality of images represented by the image data input by said input unit (col. 21, lines 33-38).

In regards to claims 6 and 17, Nakayama teaches an image printing system (figure 1) comprising: a scanner for reading an image that has been recorded on a visible recording medium (col. 20, lines 38-40) and outputting image data representing the read image (col. 20, lines 40-43); an image printing unit for printing an image, which has been read by said scanner, in accordance with a determination by said determination unit that the read image does not contain information relating to the copyright holder (col. 20, lines 50-58); and a printing controller for halting normal printing of the image by said image printing unit in accordance with a determination by said determination unit that the read image contains information relating to the copyright holder (col. 24, line 62 though col. 25, line 6).

Nakayama does not teach a determination unit for determining whether an image that has been read by said scanner contains information relating to a copyright holder of the image.

Matsunoshita teaches a determination unit for determining whether an image that has been read by a scanner (figure 2, item 23) contains information relating to a copyright holder of the image (col. 2, lines 35-40).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the teaching of Nakayama with the teachings of Matsunoshita to include a determination unit for determining whether an image that has been read by said scanner contains information relating to a copyright holder of the image with the motivation to prevent illegal duplications (Matsunoshita, col. 1, lines 14-21)

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama in view of Minamizawa et al. (U.S. Patent 6,298,421).

In regards to claim 7, Nakayama teaches a data installing apparatus (figure 1) for reading data from a first portable recording medium on which the data has been recorded (figure 1, item 6a and 6b) and installing (i.e. recording) the image data that has been read (col. 12, lines 39-41).

Nakayama does not teach wherein a unique first password has been stored in an image-printing unit and said apparatus comprises:

a password reading unit for reading a second password from a second portable recording medium on which the second password has been rewritably recorded;

a password determination unit for determining whether the first password and the second password, which has been read by said password reading unit, match;

a first installation execution unit for executing the installation in response to a determination by said password determination unit that the first and second passwords match; and

an installation-inhibiting unit for inhibiting the installation in response to a determination by said password determination unit that the first and second passwords do not match.

Minamizawa discloses a device for downloading (i.e. installing) digital data into a rewritable non-volatile memory such as a flash memory (col. 1, lines 6-10).

Minamizawa teaches reading a password transmitted from a personal computer and comparing it with a password already stored in the flash memory. When the passwords match, a transmitted program is installed (see Abstract).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the teaching of Nakayama with the teachings of Minamizawa to include:

wherein a unique first password has been stored in an image-printing unit and said apparatus comprises:

a password reading unit for reading a second password from a second portable recording medium on which the second password has been rewritably recorded;

a password determination unit for determining whether the first password and the second password, which has been read by said password reading unit, match;

a first installation execution unit for executing the installation in response to a determination by said password determination unit that the first and second passwords match; and

an installation-inhibiting unit for inhibiting the installation in response to a determination by said password determination unit that the first and second passwords do not match

with the motivation to properly install digital data by selectively allowing the installation operation (Minamizawa, col. 2, lines 47-52)

7. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama in view of Minamizawa as applied to claim 7 above, in further view of Blanco et al. (U.S. Patent 6,539,482 and Blanco hereinafter).

In regards to claim 8, the combination of Nakayama and Minamizawa teaches the system of claim 7 as discussed above.

The combination of Nakayama and Minamizawa does not teach that installation-count data indicating number installations has been recorded on the second portable recording medium, and said apparatus further comprises:

an installation-count reading unit for reading the installation-count data indicating number installations recorded on the second portable recording medium;

a determination-halt unit for halting password determination by said password determination unit when number of installations represented by the installation-count data read by said installation-count reading unit is zero;

a second installation execution unit for executing the installation in response to the halting of password determination by said determination-halt unit; and

an incrementing unit for incrementing the number of installations, which is represented by the data that has been recorded in said second portable recording medium, in response to execution of installation by said second installation execution unit.

Blanco discloses an authentication system for users that may access a network locally or remotely (col. 1, lines 9-10).

Blanco teaches that the system reads a counter (i.e. PppProfile), determines whether the counter is equal to zero, and based on the value of the of that comparison, compares a received password to a stored value and grants or denies access based on that password comparison (figure 3). In other words Blanco discloses that determining whether to check a password to grant or deny access to a system by using the value stored in a counter is old and well known in the art.

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the combination of Nakayama and Minamizawa with the teachings of Blanco to include that installation-count data indicating number installations has been recorded on the second portable recording medium, and said apparatus further comprises:

an installation-count reading unit for reading the installation-count data indicating number installations recorded on the second portable recording medium;

a determination-halt unit for halting password determination by said password determination unit when number of installations represented by the installation-count data read by said installation-count reading unit is zero;

a second installation execution unit for executing the installation in response to the halting of password determination by said determination-halt unit; and

an incrementing unit for incrementing the number of installations, which is represented by the data that has been recorded in said second portable recording medium, in response to execution of installation by said second installation execution unit

with the motivation to provide an effective and well established way of improving the security of a the network (Blanco, col. 2, lines 27-30).

In regards to claim 9, the combination of Nakayama, Minamizawa and Blanco teaches the system of claim 8 as discussed above.

Blanco also teaches that initial data is set as the second password when installation has not yet been performed; and that the installation is inhibited in response to a number of installations that is zero and a second password that is not initial data (i.e. XpassWd not equal to userPassword) (figure 3).

8. Claims 12-13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noguchi in view of Fujino et al. (U.S. Patent 6,173,418 and Fujino hereinafter).

In regards to claims 12 and 20, Noguchi teaches a printing management apparatus for managing printing conditions in a plurality of image printing units which print images represented by image data, as discussed for claims 10-11 above.

Noguchi does not teach that data representing printing history is output from the image printing units and said apparatus comprises:

a reading unit for reading data representing the printing history output from the image printing units; and

a format conversion unit for converting the data representing the printing history read by said reading unit to data having a predetermined format.

Fujino discloses a computer network system wherein a manager gathers log data from agents through the network (col. 1, lines 4-8).

Fujino teaches that each of the agents monitors a plurality of log files and inputs log data outputted in various formats. Thereafter, the agent normalizes the log data and converts the same into common data formats. Further, since only necessary log data is extracted and corrected times matched with a manager time are used as log data output times, an administrator is able to analyze log data outputted from a plurality of computers existing in a network on the basis of unified data formats and times (col. 2, lines 10-19).

Therefore it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the teaching of Noguchi with the teachings of Fujino to include that data representing printing history is output from the image printing units and said apparatus comprises a reading unit for reading data representing the printing history output from the image printing units; and a format conversion unit for converting the data representing the printing history read by said reading unit to data having a predetermined format with the motivation to allow an administrator to analyze log data outputted from a plurality of computers existing in a network on the basis of unified data formats and times (Fujino, col. 2, lines 16-19)

In regards to claim 13, the combination of Noguchi and Fujino teaches an aggregating unit (figure 2, item 10) for aggregating (i.e. storing) (figure 2, item 6), for each of the plurality of printing units (figure 2, item 30), the data which represents printing history (i.e. log data) and the

format of which has been converted by said format conversion unit (i.e. agent) (figure 2, item 20).

Other Prior Art Made of Record

9. A. Acosta et al. (U.S. Patent No. 6,166,729) discloses a remote digital image viewing system and method;

B. Squilla et al. (U.S. Patent No. 6,690,843) discloses a system and method for constructing a photo album; and

C. Ito et al. (U.S. Patent No. 5,822,083) discloses an image storing apparatus.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Points of Contact

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edel H. Quiñones whose telephone number is 703-305-8745. The examiner can normally be reached on M-F (8:00AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-305-3718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Edel H. Quiñones
Patent Examiner
Technology Center 2100

April 7, 2004

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Notice of References Cited	Application/Control No. 09/667,701	Applicant(s)/Patent Under Reexamination KAWAOKA ET AL.	
	Examiner Edel H Quinones	Art Unit 2131	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,298,421 B1	10-2001	Minamizawa et al.	711/151
	B	US-6,711,285 B2	03-2004	Noguchi, Takafumi	382/162
	C	US-6,226,412 B1	05-2001	Schwab, Barry H.	382/232
	D	US-6,166,729 A	12-2000	Acosta et al.	345/719
	E	US-6,603,864 B1	08-2003	Matsunoshita, Junichi	382/100
	F	US-6,209,097 B1	03-2001	Nakayama et al.	713/193
	G	US-6,539,482 B1	03-2003	Blanco et al.	713/201
	H	US-6,173,418 B1	01-2001	Fujino et al.	714/20
	I	US-6,473,859 B1	10-2002	Enokida, Miyuki	713/164
	J	US-6,690,843	02-2004	Squilla et al.	382/306
	K	US-5,822,083	10-1998	Ito et al.	358/403
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.